

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

|                               |   |                       |
|-------------------------------|---|-----------------------|
| MICROSOFT CORPORATION,        | § |                       |
|                               | § |                       |
| Plaintiff,                    | § |                       |
| v.                            | § |                       |
|                               | § | C.A. No. 07-090 (SLR) |
| ALCATEL LUCENT ENTERPRISE and | § |                       |
| GENESYS TELECOMMUNICATIONS    | § |                       |
| LABORATORIES, INC.,           | § |                       |
|                               | § |                       |
| Defendants.                   | § |                       |

**STIPULATION OF DISMISSAL WITH PREJUDICE**

IT IS STIPULATED, by and among Plaintiff, Microsoft Corporation (“Microsoft”), and Defendants, Alcatel Lucent Enterprise and Genesys Telecommunications Laboratories, Inc. (collectively “Alcatel”), through their counsel of record and subject to the approval of the Court, that:

- (1) All claims between Microsoft and Alcatel presented by the Complaint, as well as all counterclaims thereto, shall be dismissed with prejudice; and
- (2) The parties shall each bear their own costs and attorney’s fees.

FISH & RICHARDSON P.C.

/s/ Thomas L. Halkowski

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ATTORNEYS FOR DEFENDANTS  
ALCATEL LUCENT ENTERPRISE and  
GENESYS TELECOMMUNICATIONS  
LABORATORIES, INC.

**SO ORDERED**, this \_\_\_\_\_ day of December 2008.

\_\_\_\_\_  
United States District Court Judge